

# ORDINANCE C-49-01

## AN ORDINANCE TO AMEND VARIOUS SECTIONS OF PART 11 TITLED PLANNING AND ZONING TO ESTABLISH THE COLLECTION OF DEVELOPMENT FEES FOR APPLICATIONS OR PETITIONS

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WHEREAS, the City Council has vested in the Planning Commission per Section 1131.04 of the Codified Ordinances, the duty of administering the Zoning Code and the power necessary for such administration; and

WHEREAS, it is the intent of the City Council to ascertain and achieve an equitable and fair means for recovering the costs for providing such services provided by the Planning Commission; and

WHEREAS, it is the intent of the City Council to achieve an equitable and fair means for financing services in order to reduce or eliminate subsidizing these services with general tax revenue and, thereby, allowing those general tax revenues to be used for general services; and

WHEREAS, in addition to the fees and deposits required by other sections of the Codified Ordinances, a filing fee shall be paid by an applicant for services and products provided by the Planning Commission; and

WHEREAS, in order to provide for the administration and enforcement of these requirements, it is necessary to collect fees to recover the cost of administering such services and products, and, City Council together with the Codified Ordinances and with such rules and regulations as may be established by the Planning Commission for the implementation and enforcement of the Codified Ordinances in compliance with the Zoning Code, the authority to collect fees is hereby established.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Section 1101.07 (i) is hereby added and shall read:

- (i) *In order to be heard by Planning Commission, a fee of \$150.00 for a Preliminary Development Plan or \$300.00 for a Development Plan or \$50.00 for a Plat, payable to the City of Grove City for deposit in the General Fund, shall accompany the application or petition. This fee is for the purpose of defraying the costs of plan review, legal, legislation, notices, official publications required by the City and any other incurred costs and shall not be refundable even though the application is disapproved by the Planning Commission or Council.*

SECTION 2. Section 1135.08, which reads:

1135.08 SUBDIVISION OF LOTS PROHIBITED.

No lot located within the corporate limits of the City, regardless of when or how created, shall be reduced in dimensions or area without the approval of the Planning Commission. The resulting lot dimensions, area, and yard dimensions, if a building exists on the lot, shall be equal to or greater than those required by this Zoning Code.

(Ord. C9-82. Passed 3-15-82.)

**IS HEREBY AMENDED TO READ:**

**1135.08 SUBDIVISION OF LOTS PROHIBITED; *FEE***

(a) No lot located within the corporate limits of the City, regardless of when or how created, shall be reduced in dimensions or area without the approval of the Planning Commission. The resulting lot dimensions, area, and yard dimensions, if a building exists on the lot, shall be equal to or greater than those required by this Zoning Code.

(Ord. C9-82. Passed 3-15-82.)

*(b) In order to be heard by Planning Commission, a fee of \$50.00, payable to the City of Grove City for deposit in the General Fund, shall accompany the application or petition. This fee is for the purpose of defraying the costs of plan review, legal, legislation, notices, official publications required by the City and any other incurred costs and shall not be refundable even though the application is disapproved by the Planning Commission or Council.*

SECTION 3. Section 1135.09(12)A, which reads:

- A. Within the City, no buildings or premises shall be used and no buildings shall be erected which are arranged, intended or designed to be used for the following specified uses except in a C-1 or C-2 use district and with a Special Use Permit. An applicant requesting a Special Use Permit shall file a request for a hearing before the Planning Commission. The Commission, after hearing and consideration of such request, shall forward its findings and recommendations to Council for final approval or disapproval, by ordinance, of the request. (Ord. C17-85. Passed 3-18-85.)

**IS HEREBY AMENDED TO READ:**

- A. Within the City, no buildings or premises shall be used and no buildings shall be erected which are arranged, intended or designed to be used for the following specified uses except in a C-1 or C-2 use district and with a Special Use Permit. An applicant requesting a Special Use Permit shall file a request for a hearing before the Planning Commission. *In order to be heard by Planning Commission, a fee of \$100.00, payable to the City of Grove City for deposit in the General Fund, shall accompany the request. This fee is for the purpose of defraying the costs of plan review, legal, legislation, notices, official publications required by the City and any other incurred costs and shall not be refundable even though the application is disapproved by the Planning Commission or Council.* The Commission, after hearing and consideration of such request, shall forward its findings and recommendations to Council for final approval or disapproval, by ordinance, of the request. (Ord. C17-85. Passed 3-18-85.)

SECTION 4. Section 1135.14(a)(7) is hereby added and shall read:

- (7) *In order to be heard by Planning Commission, a fee of \$150.00 for a Preliminary Development Plan or \$300.00 for a Development Plan, payable to the City of Grove City for deposit in the General Fund, shall accompany the application or petition. This fee is for the purpose of defraying the costs of plan review, legal, legislation, notices, official publications required by the City and any other incurred costs and shall not be refundable even though the application is disapproved by the Planning Commission or Council*

SECTION 5. Section 1139.01, which reads:

1139.01 AMENDMENT APPLICATIONS OR PETITIONS; FEE.

Applications or petitions for change or amendment to existing zoning districts in the City shall be made to the office of the Planning Commission and shall be accompanied with a fee of fifty dollars (\$50.00) payable to the Finance Director and shall be deposited in the General Fund. This fee is for the purpose of defraying the costs of preparing the necessary plats, maps, data, legislation and notices and all official publications required by the City and shall not be refundable even though the application is disapproved by the Planning Commission or Council. Applications under Sections 1135.01 to 1135.05 are included herein. (Ord. C79-74. Passed 1-20-75.)

**IS HEREBY AMENDED TO READ:**

1139.01 AMENDMENT APPLICATIONS OR PETITIONS; FEE.

Applications or petitions for change or amendment to existing zoning districts in the City shall be made to the office of the Planning Commission and shall be accompanied with a fee of ~~fifty dollars (\$50.00)~~ **\$100.00**, payable to the ~~Finance Director~~ **City of Grove City** and shall be deposited in the General Fund. This fee is for the purpose of defraying the costs of preparing the necessary plats, maps, data, legislation and notices and all official publications required by the City and shall not be refundable even though the application is disapproved by the Planning Commission or Council. Applications under Sections 1135.01 to 1135.05 are included herein. (Ord. C79-74. Passed 1-20-75.)

SECTION 6. Section 1138.05(a), which reads:

(a) A certificate of appropriateness is required from the Planning Commission prior to any new construction, remodeling, reconstruction or demolition. A certificate of appropriateness is required from the Building Inspector prior to the onset of maintenance or repair such as set forth in subsection (c) hereof.

**IS HEREBY AMENDED TO READ:**

(a) A certificate of appropriateness is required from the Planning Commission prior to any new construction, remodeling, reconstruction or demolition. A certificate of appropriateness is required from the Building Inspector prior to the onset of maintenance or repair such as set forth in subsection (c) hereof.

*In order to be heard by Planning Commission, a fee of \$50.00, payable to the City of Grove City for deposit in the General Fund, shall accompany the application or petition. This fee is for the purpose of defraying the costs of plan review, legal, legislation, notices, official publications required by the City and any other incurred costs and shall not be refundable even though the application is disapproved by the Planning Commission or Council.*

SECTION 7. Section 1138.05(b), which reads:

(b) A certificate of appropriateness is required from the Commission prior to the erection of any sign, which requires a permit pursuant to Chapter 1323 of the Codified Ordinances. The Commission may grant a variance to the requirements of Chapter 1323. The application fee for such a variance shall be fifty dollars (\$50.00).

**IS HEREBY AMENDED TO READ:**

(b) A certificate of appropriateness is required from the **Planning** Commission prior to the erection of any sign which requires a permit pursuant to Chapter ~~1323~~ **1322** of the Codified Ordinances.

*In order to be heard by Planning Commission, a fee of \$50.00, payable to the City of Grove City for deposit in the General Fund, shall accompany the application or petition. This fee is for the purpose of defraying the costs of plan review, legal, legislation, notices, official publications required by the City and any other incurred costs and shall not be refundable even though the application is disapproved by the Planning Commission or Council.*

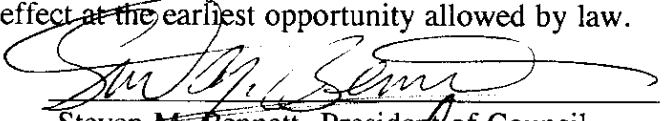
The Commission may grant a variance to the requirements of Chapter ~~1323~~ **1322**. The application fee for such a variance shall be fifty dollars (\$50.00).

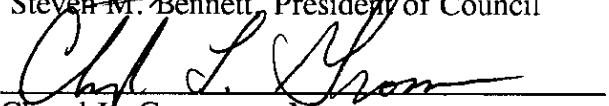
SECTION 8. This ordinance shall take effect at the earliest opportunity allowed by law.

Passed: 08-06-01  
Effective: 09-05-01

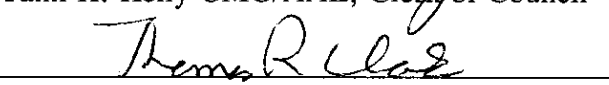
Attest:

I Certify that this ordinance is correct as to form.

  
Steven M. Bennett, President of Council

  
Cheryl L. Grossman, Mayor

  
Tami K. Kelly CMC/AEE, Clerk of Council

  
Thomas R. Clark, Director of Law